LIONEL RIVERA
MAYOR

CITY OF COLORADO SPRINGS

DATE: April 15, 2003

TO: City Council

FROM: Lionel Rivera, Mayor

SUBJECT: A Resolution and Policy Statement Regarding Healthcare Benefits for City Employees

BACKGROUND: For Fiscal Year 2003, City Council approved availability of healthcare benefits for the first time to eligible city employees and their qualified same sex partners. I do not believe that the majority of the new City Council support the policy of continuing these benefits. I am requesting that this policy be rescinded beginning fiscal year 2004.

FINANCIAL IMPLICATIONS: If approved by City Council, this resolution and policy statement will direct staff to include healthcare benefits for eligible city employees, his/her spouse recognized by Colorado law, and eligible dependents in the budget proposals for fiscal year 2004 and thereafter, unless and until otherwise approved by City Council, thereby saving the expenses for other basic purposes of the City and its enterprises.

PROPOSED MOTION: A motion to approve a resolution and policy statement regarding healthcare benefits for city employees.

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Lower Tier Covered Transaction: (a) Any transaction between a participant and a person other than a procurement contract for goods or services, regardless of type, under a primary covered transaction. (b) Any procurement contract for goods or services between a participant and a person, regardless of type, expected to equal or exceed the federal procurement small purchase threshold fixed at 10 U.S.C. 2304(g) and 41 U.S.C. 253(g) [currently $25,000] under a primary covered transaction. (c) Any procurement contract for goods or services between a participant and a person under a covered transaction, regardless of amount, under which that person will have a critical influence on or substantive control over that covered transaction. Such persons are project directors, principal investigators, and providers of federally-required audit services.

Participant: Any person who submits a proposal for, enters into, or reasonably may be expected to enter into a covered transaction. This term also includes any person who acts on behalf of or is authorized to commit a participant in a covered transaction as an agent or representative of another participant.

Person: Any individual, corporation, partnership, association, unit of government or legal entity, however organized, except foreign governments or foreign governmental entities, public international organizations, foreign government owned or controlled entities.

Primary Covered Transaction: This is normally any nonprocurement transaction between an agency and a person, regardless of type, including grants, cooperative agreements, scholarships, fellowships, contracts of assistance, loans, loan guarantees, subsidies, insurance, payments for specified use, donation agreements, and any other nonprocurement transactions between a federal agency and a person.

Principal: Officer, director, owner, partner, key employee, or other person within a participant with primary management or supervisory responsibilities; or a person who has critical influence on or substantive control over a covered transaction, whether or not employed by the participant.

Suspension: An action taken by a suspending official in accordance with these regulations that immediately excludes a person from participating in covered transactions for a temporary period, pending completion of an investigation and such legal, debarment, or Program Fraud Civil Remedies Act proceedings as may ensue.

Voluntarily Excluded: The status of nonparticipation or limited participation in covered transactions assumed by a person pursuant to the terms of a settlement.

RESOLUTION NO.____

A RESOLUTION AND POLICY STATEMENT REGARDING HEALTHCARE BENEFITS FOR CITY EMPLOYEES

WHEREAS, the City Council is responsible for adopting the budget for the City of Colorado Springs and all its enterprises and appropriating the sums of money necessary for the purposes listed in the budget; and

WHEREAS, in adopting the budget, City Council may amend the budget, add to or increase programs or amounts, and may delete any programs or amounts, except amounts required by law or for debt service on bond obligations, within the income available to the City or its enterprises pursuant to City Charter Art. VII, § 7-30; and

WHEREAS, the manner and type of healthcare benefits allowed to eligible city employees working for the City and all its enterprises, including Colorado Springs Utilities and Memorial Hospital, is a concern in this community; and

WHEREAS, City Council desires that adequate healthcare benefits be provided to eligible city employees working for the City and all its enterprises, including Colorado Springs Utilities and Memorial Hospital, their spouses as recognized by Colorado law and their eligible dependents.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

1. Budgets developed for Fiscal Year 2004, and until further direction by City Council, shall contain healthcare benefits for eligible city employees, his/her spouse recognized by Colorado law, and eligible dependents only.

2. Other budget items proposed for the City and its enterprises shall reflect the economic realities of the Colorado Springs community.

Dated at Colorado Springs, Colorado, this ____ day of April, 2003.

_____
Mayor

ATTEST:

_____
City Clerk

Lobbying Activities

An applicant who requests grant funds in excess of $100,000 is required to certify and, under certain circumstances, file a disclosure statement on lobbying activities. The "Certification Regarding Lobbying Activities" applies only to the individual application for which Endowment funding is being sought. If nonfederal funds were used or will be used to support lobbying activities for this application by persons other than regularly employed officers or employees of the applicant institution, the OMB "Disclosure of Lobbying Activities" (Standard Form LLL) shall be completed and returned to the NEH Grants Office. This form will also be filed at the end of each calendar quarter in which there occurs any event that requires disclosure or that materially affects the accuracy of the information previously filed.

Those who received a subgrant, contract, or subcontract exceeding $100,000 at any tier under an Endowment grant are required to file a certification and, when necessary, a disclosure form to the next tier above. All disclosure forms shall be forwarded to the NEH Grants Office by the grantee.

For the purpose of this certification a "regularly employed officer or employee of the applicant" is one who is employed by the applicant for at least 130 working days within one year immediately preceding the date of the submission that initiates Endowment consideration of the applicant for receipt of a grant or cooperative agreement.

Certifications

1. Certification Regarding the Nondiscrimination Statutes and Implementing Regulations (Applies to Recipients Other than Individuals)

The applicant certifies that it will comply with the following nondiscrimination statutes and their implementing regulations: (a) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d *et seq.*) which provides that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant received federal financial assistance; (b) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicap in programs and activities receiving federal financial assistance; (c) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681 *et seq.*) which prohibits discrimination on the basis of sex in education programs and activities receiving federal financial assistance; and (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 *et seq.*) which prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance, except that actions which reasonably take age into account as a factor necessary for the normal operation or achievement of any statutory objective of the project or activity shall not violate this statute.